GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2578
ANSWERED ON:02.08.2016
Police Investigation
Senguttuvan Shri Balasubramaniam

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether one of the principal reasons for the large percentage of acquittals in criminal trials is the faulty and defective investigation conducted by the police and if so, the details thereof;

(b) whether the Government has taken any steps to ensure that the police conduct fair and impartial investigation and to ensure that the fundamental, human and civil rights of innocent citizens are not violated by the conduct of improper investigation by the police and if so, the details thereof; and

(c) whether the Government has any proposal to bring about amendments to the Police Act, 1861 in order to modernize the police force and make it citizen-friendly, effective and efficient in the conduct of scientific investigation by equipping them with scientific techniques of investigation and with new provisions laying stress on the duty of police to respect and protect the fundamental, human and civil rights of the citizens and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (b): No such specific reasons have been brought to the notice of the Government. 'Police', 'Public Order' and Law and Order are State subjects under the seventh Schedule to the Constitution of India and
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therefore, the State Governments are primarily responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the machinery of their law enforcement agencies.

(c): The Ministry of Home Affairs set up Soli Sorabjee Committee to draft a new model Police Act in September 2005 to replace the Police Act 1861. The Committee submitted a model Police Act on 30th October, 2006. A copy of the draft Model Police Act as framed by the Committee was sent to States for consideration and appropriate action vide Home Secretary D.O. letter dated 31-10-2006.

The Model Police Act, 2006 was studied again and reviewed it in line with the changing realities and making 'Police' more responsive, efficient and citizen friendly. Ministry of Home Affairs vide its order dated 24th June 2013 has requested BPR&D to draft a new Model Police Bill.
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Accordingly on 24th August 2015, BPR&D has submitted a copy of legally vetted draft of Model Police Bill, 2015. Further, ten attributes of 'SMART' Policing has been incorporated in draft Model Police Bill, 2015, which is available in the BPR&D's website http://www.bprd.nic.in.

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